

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TFW

Applicant: Chao Wu et al.

Title: JUL 19 2004 PROCESS FOR PREPARING BIOACTIVE PROTEIN-ENRICHED WHEY PRODUCTS

Docket No. 1871.010US1

Filed: March 22, 2004

Examiner: Unknown

Serial No.: 10/806,053

Due Date: N/A

Group Art Unit: 1761

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard.

☒ An Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and copies of 13 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number 21186

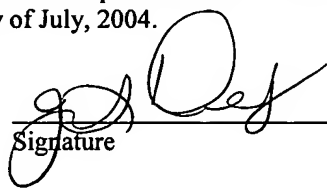
By: 

Atty: Katharine A. Jackson Huebsch

Reg. No. 47,670

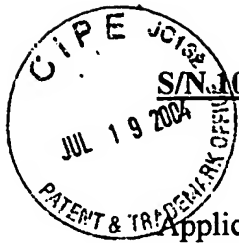
**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16<sup>th</sup> day of July, 2004.

  
Name

  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



S/N 10/806,053

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Chao Wu et al.	Examiner:	Unknown
Serial No.:	10/806,053	Group Art Unit:	1761
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Title:	PROCESS FOR PREPARING BIOACTIVE PROTEIN-ENRICHED WHEY PRODUCTS		

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**INFORMATION DISCLOSURE STATEMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/806,053

Filing Date: March 22, 2004

Title: PROCESS FOR PREPARING BIOACTIVE PROTEIN-ENRICHED WHEY PRODUCTS

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Dkt: 1871.010US1

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

CHAO WU ET AL.

By their Representatives,

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Date 15 July 2004

By Katharine A. Jackson Huebsch  
Katharine A. Jackson Huebsch  
Reg. No. 47,670

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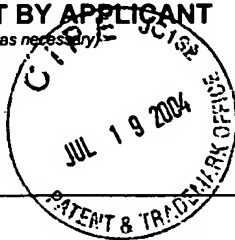
Judy Dent  
Name

Judy Dent  
Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/806,053
Filing Date	March 22, 2004
First Named Inventor	Wu, Chao
Group Art Unit	1761
Examiner Name	Unknown

Sheet 1 of 2

Attorney Docket No: 1871.010US1

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-5,866,418	02/02/1999	Ballard, J., et al.	435	384	07/09/1991
	US-6,319,522	11/20/2001	Ballard, J., et al.	424	435	05/22/1998

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
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**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ELLIOT, J., et al., "Isolation of lactoferrin and its concentration in sows' colostrum and milk during a 21-day lactation", <u>J Anim Sci.</u> , 59(4), (Oct. 1984), 1080-4	
		FRANCIS, G., et al., "Extraction from cheese whey by cation-exchange chromatography of factors that stimulate the growth of mammalian cells.", <u>J Dairy Sci.</u> , 78(6), (June 1995), 1209-18	
		JIN, Y., et al., "Separation, purification, and sequence identification of TGF-beta 1 and TGF-beta 2 from bovine milk.", <u>J Protein Chem.</u> , 10(5), (October 1991), 565-75	
		JOHANSSON, B., "Isolation of crystalline lactoferrin from human milk.", <u>Acta Chem Scand.</u> , 23(2), (1969), 683-4	
		KAKUTA, I, et al., "Enhancement of the nonspecific defense activity of the skin mucus of red sea bream by oral administration of bovine lactoferrin", <u>Suisanzoshuku</u> , 44, (1995), 197-202	Abstract only
		LAW, B. A., et al., "The isolation and bacteriostatic properties of lactoferrin from bovine milk whey.", <u>J Dairy Res.</u> , 44(3), (October 1977), 595-9	
		MORRISON, M., "Lactoperoxidase. II. Isolation.", <u>J Biol Chem.</u> , 238, (August 1963), 2843-9.	
		PARODI, P., et al., "A role for milk proteins in cancer prevention", <u>Australian J. of Dairy Technology</u> , (1998), 37-47	
		ROBERTS, "Supplementation of an adapted formula with bovine lactoferrin: 1. Effect on the infant faecal flora.", <u>Acta Paediatr.</u> , 81(2), (February 1992), 119-24	
		SMITHERS, G., et al., "New opportunities from the isolation and utilization of whey proteins", <u>J Dairy Sci.</u> , 79(8), (August 1996), 1454-9	
		TERAGUCHI, S., et al., "Orally administered bovine lactoferrin inhibits bacterial translocation in mice fed bovine milk.", <u>Appl Environ Microbiol.</u> , (November 1995), 4131-4	
		USHIDA, Y, et al., "Inhibitory effects of bovine lactoferrin on intestinal polyposis in the Apc(Min) mouse", <u>Cancer Lett.</u> , 134(2), (December 1998), 141-5	
		YAMAUCHI, K, et al., "Effects of orally administered bovine lactoferrin on the immune system of healthy volunteers", <u>Adv Exp Med Biol.</u> , 443, (1998), 261-5	

**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached